

1 **SECTION 3491.** 440.92 (1) (c) of the statutes is amended to read:

2 440.92 (1) (c) Renewal applications shall be submitted to the department on
3 a form provided by the department on or before the applicable renewal date specified
4 under s. 440.08 (2) (a) and shall include the applicable renewal fee specified under
5 ~~s. 440.08 (2) (a)~~ determined by the department under s. 440.03 (9) (a).

6 **SECTION 3492.** 440.92 (6) (d) of the statutes is amended to read:

7 440.92 (6) (d) All records described under pars. (b) 2. and (c) and maintained
8 by the board are confidential and are not available for inspection or copying under
9 s. 19.35 (1). This paragraph does not apply to any information regarding the name,
10 address or employer of or financial information related to an individual that is
11 requested under s. 49.22 (2m) by the department of ~~workforce development~~ children
12 and families or a county child support agency under s. 59.53 (5).

13 **SECTION 3493.** 440.966 (1) of the statutes is amended to read:

14 440.966 (1) The renewal date and fees for a certificate of registration issued
15 under this subchapter ~~are is~~ specified in s. 440.08 (2) (a), and the renewal fee for such
16 certificate of registration is determined by the department under s. 440.03 (9) (a).

17 **SECTION 3494.** 440.972 (2) of the statutes is amended to read:

18 440.972 (2) The renewal date and renewal fee for certificates granted under
19 this section ~~are is~~ specified under s. 440.08 (2) (a) 38g., and the renewal fee for such
20 certificates is determined by the department under s. 440.03 (9) (a).

21 **SECTION 3495.** 440.98 (6) of the statutes is amended to read:

22 440.98 (6) APPLICATIONS. An application for a sanitarian registration under this
23 section shall be made on a form provided by the department and filed with the
24 department and shall be accompanied by the initial credential fee specified in s.
25 440.05 (1) determined by the department under s. 440.03 (9) (a). The renewal date

1 ~~and renewal fee for a sanitarian registration are is~~ specified under s. 440.08 (2) (a),
2 ~~and the renewal fee for such registration is determined by the department under s.~~
3 ~~440.03 (9) (a).~~

4 **SECTION 3496.** 440.982 (1m) (b) of the statutes is amended to read:

5 440.982 (1m) (b) The person pays the initial credential fee specified in s. 440.05
6 (1) determined by the department under s. 440.03 (9) (a).

7 **SECTION 3497.** 440.983 (1) of the statutes is amended to read:

8 440.983 (1) The renewal date for licenses granted under this subchapter is
9 specified in s. 440.08 (2) (a). Renewal applications shall be submitted to the
10 department on a form provided by the department and shall include the renewal fee
11 ~~specified in s. 440.08 (2) (a)~~ determined by the department under s. 440.03 (9) (a).

12 **SECTION 3498.** 440.992 (1) of the statutes is amended to read:

13 440.992 (1) Except as otherwise provided in sub. (2), the department shall issue
14 a certificate of registration to an individual who complies with s. 440.9915 (1) or
15 whose application has been accepted under s. 440.9915 (2), if the individual has paid
16 the initial credential fee specified in s. 440.05 (1) (a) determined by the department
17 under s. 440.03 (9) (a).

18 **SECTION 3499.** 440.9935 of the statutes is amended to read:

19 **440.9935 Renewal.** The renewal date and fee for certificates of registration
20 issued under this subchapter ~~are is~~ specified in s. 440.08 (2) (a), and the renewal fee
21 for such certificates is determined by the department under s. 440.03 (9) (a).
22 Renewal applications shall be submitted to the department on a form provided by the
23 department.

24 **SECTION 3500.** 441.06 (3) of the statutes is amended to read:

1 441.06 (3) A registered nurse practicing for compensation shall, on or before
2 the applicable renewal date specified under s. 440.08 (2) (a), submit to the board on
3 furnished forms a statement giving name, residence, and other facts that the board
4 requires, with the applicable renewal fee ~~specified under s. 440.08 (2) (a)~~ determined
5 by the department under s. 440.03 (9) (a).

6 **SECTION 3501.** 441.10 (3) (b) of the statutes is amended to read:

7 441.10 (3) (b) On or before the applicable renewal date specified under s. 440.08
8 (2) (a), a licensed practical nurse practicing for compensation shall submit to the
9 board, on forms furnished by the department, an application for license renewal,
10 together with a statement giving name, residence, nature and extent of practice as
11 a licensed practical nurse during the prior year and prior unreported years, and
12 other facts bearing upon current competency that the board requires, accompanied
13 by the applicable license renewal fee ~~specified under s. 440.08 (2) (a)~~ determined by
14 the department under s. 440.03 (9) (a).

15 **SECTION 3502.** 441.15 (3) (a) 2. of the statutes is amended to read:

16 441.15 (3) (a) 2. Pays the initial credential fee ~~specified under s. 440.05 (1)~~
17 determined by the department under s. 440.03 (9) (a).

18 **SECTION 3503.** 441.15 (3) (b) of the statutes is amended to read:

19 441.15 (3) (b) On or before the applicable renewal date specified under s. 440.08
20 (2) (a), a person issued a license under par. (a) and practicing nurse-midwifery shall
21 submit to the board on furnished forms a statement giving his or her name,
22 residence, and other information that the board requires by rule, with the applicable
23 renewal fee specified under s. 440.08 (2) (a). If applicable, the person shall also
24 submit evidence satisfactory to the board that he or she has in effect the malpractice
25 liability insurance required under the rules promulgated under sub. (5) (bm). The

1 board shall grant to a person who pays the fee specified under s. 440.08 (2) (a) for
2 renewal of a license to practice nurse-midwifery and who satisfies the requirements
3 of this paragraph the renewal of his or her license to practice nurse-midwifery and
4 the renewal of his or her license to practice as a registered nurse.

5 **SECTION 3503b.** 441.15 (3) (b) of the statutes, as affected by 2007 Wisconsin Act
6 (this act), is amended to read:

7 441.15 (3) (b) On or before the applicable renewal date specified under s. 440.08
8 (2) (a), a person issued a license under par. (a) and practicing nurse-midwifery shall
9 submit to the board on furnished forms a statement giving his or her name,
10 residence, and other information that the board requires by rule, with the applicable
11 renewal fee ~~specified under s. 440.08 (2) (a)~~ determined by the department under s.
12 440.03 (9) (a). If applicable, the person shall also submit evidence satisfactory to the
13 board that he or she has in effect the malpractice liability insurance required under
14 the rules promulgated under sub. (5) (bm). The board shall grant to a person who
15 pays the fee ~~specified under s. 440.08 (2) (a)~~ determined by the department under s.
16 440.03 (9) (a) for renewal of a license to practice nurse-midwifery and who satisfies
17 the requirements of this paragraph the renewal of his or her license to practice
18 nurse-midwifery and the renewal of his or her license to practice as a registered
19 nurse.

20 **SECTION 3504.** 442.08 (1) of the statutes is amended to read:

21 442.08 (1) The department shall issue a license to an individual who holds an
22 unrevoked certificate as a certified public accountant, submits an application for the
23 license on a form provided by the department, and pays the initial credential fee
24 specified in s. 440.05 (1) determined by the department under s. 440.03 (9) (a).

25 **SECTION 3505.** 442.08 (2) (intro.) of the statutes is amended to read:

1 442.08 (2) (intro.) The department shall issue a license to a firm that submits
2 an application for the license on a form provided by the department, pays the initial
3 credential fee specified in s. 440.05 (1) determined by the department under s. 440.03
4 (9) (a), and does each of the following:

5 **SECTION 3506.** 442.083 of the statutes is amended to read:

6 **442.083 Renewal.** The renewal dates and renewal fees for licenses issued
7 under this chapter are specified under s. 440.08 (2) (a), and the renewal fees for such
8 licenses are determined by the department under s. 440.03 (9) (a). The department
9 may not renew a license issued to a firm unless, at the time of renewal, the firm
10 satisfies the requirements under s. 442.08 (2) and demonstrates, to the satisfaction
11 of the department, that the firm has complied with the requirements under s.
12 442.087.

13 **SECTION 3507.** 442.09 of the statutes is amended to read:

14 **442.09 Fees.** The fees for examination and licenses granted or renewed under
15 this chapter are specified in ~~ss. s.~~ s. 440.05 and 440.08. The fee for renewal of such
16 licenses is determined by the department under s. 440.03 (9) (a).

17 **SECTION 3508.** 443.07 (6) of the statutes is amended to read:

18 443.07 (6) The renewal date and renewal fee for permits under this section are
19 is specified under s. 440.08 (2) (a), and the fee for renewal of such permits is
20 determined by the department under s. 440.03 (9) (a).

21 **SECTION 3509.** 443.08 (3) (a) of the statutes is amended to read:

22 443.08 (3) (a) A firm, partnership or corporation desiring a certificate of
23 authorization shall submit an application to the department on forms provided by
24 the department, listing the names and addresses of all officers and directors, and all
25 individuals in its employment registered or granted a permit to practice

1 architecture, professional engineering or designing in this state who will be in
2 responsible charge of architecture, professional engineering or designing being
3 practiced in this state through the firm, partnership or corporation and other
4 relevant information required by the examining board. A similar type of form shall
5 also accompany the renewal fee. If there is a change in any of these persons, the
6 change shall be reported on the same type of form, and filed with the department
7 within 30 days after the effective date of the change. The examining board shall
8 grant a certificate of authorization to a firm, partnership or corporation complying
9 with this subsection upon payment of the initial credential fee specified in s. 440.05
10 (1) determined by the department under s. 440.03 (9) (a). This subsection does not
11 apply to firms, partnerships or corporations exempt under s. 443.14 (3) or (5).

12 **SECTION 3510.** 443.08 (3) (b) of the statutes is amended to read:

13 443.08 (3) (b) The renewal date and renewal fee for certificates of authorization
14 under this section are is specified under s. 440.08 (2) (a), and the fee for renewal of
15 such certificates is determined by the department under s. 440.03 (9) (a).

16 **SECTION 3511.** 443.10 (2) (b) of the statutes is amended to read:

17 443.10 (2) (b) The fees for examinations and licenses granted or renewed under
18 this chapter are specified in ~~ss. s. 440.05 and 440.08,~~ and the fee for renewal of such
19 licenses is determined by the department under s. 440.03 (9) (a).

20 **SECTION 3512.** 443.10 (2) (e) of the statutes is amended to read:

21 443.10 (2) (e) The renewal date and renewal fee for certificates of registration
22 for architects, landscape architects, and professional engineers are is specified under
23 s. 440.08 (2) (a), and the fee for renewal of such certificates is determined by the
24 department under s. 440.03 (9) (a).

25 **SECTION 3513.** 443.10 (5) of the statutes is amended to read:

1 443.10 (5) FEES; RENEWALS. The land surveyor's section shall grant a certificate
2 of registration as a land surveyor to any applicant who has met the applicable
3 requirements of this chapter. The renewal date ~~and renewal fee~~ for the certificate
4 are is specified under s. 440.08 (2) (a), and the renewal fee for the certificate is
5 determined by the department under s. 440.03 (9) (a).

6 **SECTION 3514.** 445.04 (2) of the statutes is amended to read:

7 445.04 (2) No person may engage in the business of a funeral director, or make
8 a representation as engaged in such business, in whole or in part, unless first
9 licensed as a funeral director by the examining board. Application for a license, other
10 than a renewal, shall be in writing and verified on a form to be furnished by the
11 department. The application must specify the address at which the applicant
12 proposes to conduct the business of a funeral director and shall contain such other
13 information as the examining board requires to determine compliance with the
14 requirements of this chapter. Accompanying the application shall be the initial
15 credential fee specified in s. 440.05 (1) determined by the department under s. 440.03
16 (9) (a), together with affidavits of recommendation from at least 2 persons of the
17 county in which the applicant resides or proposes to conduct the business of a funeral
18 director.

19 **SECTION 3515.** 445.06 of the statutes is amended to read:

20 **445.06 Renewal of licenses.** The renewal date ~~and renewal fee~~ for a funeral
21 directors' license are is specified under s. 440.08 (2) (a), and the renewal fee for such
22 license is determined by the department under s. 440.03 (9) (a). Before any renewal
23 license is delivered to any licensed funeral director, proof must be furnished by the
24 applicant, to the satisfaction of the examining board, that the applicant is doing
25 business at a recognized funeral establishment, except that if such applicant is not

1 doing business at a recognized funeral establishment at the time of application for
2 a license, the applicant shall be given a certificate, without additional cost, to the
3 effect that the applicant is in good standing as a funeral director, and shall be entitled
4 to a renewal license at any time during that license period, when located at a
5 recognized funeral establishment, without payment of any additional renewal fee.
6 The applicant must also furnish proof of completion of at least 15 hours of continuing
7 education during the previous 2-year licensure period, except that new licensees are
8 exempt from this requirement during the time between initial licensure and
9 commencement of a full 2-year licensure period.

10 **SECTION 3516.** 445.105 (3) of the statutes is amended to read:

11 445.105 (3) Applications for funeral establishment permits shall be made on
12 forms provided by the department and filed with the department and shall be
13 accompanied by the initial credential fee specified under s. 440.05 (1) determined by
14 the department under s. 440.03 (9) (a). The renewal date and renewal fee for a
15 funeral establishment permit are is specified under s. 440.08 (2) (a), and the renewal
16 fee for such permit is determined by the department under s. 440.03 (9) (a).

17 **SECTION 3517.** 446.02 (4) of the statutes is amended to read:

18 446.02 (4) The renewal date and renewal fee for all licenses granted by the
19 examining board are is specified under s. 440.08 (2) (a), and the renewal fee for such
20 licenses is determined by the department under s. 440.03 (9) (a).

21 **SECTION 3518.** 447.05 of the statutes is amended to read:

22 **447.05 Expiration and renewal.** Renewal applications shall be submitted
23 to the department on a form provided by the department on or before the applicable
24 renewal date specified under s. 440.08 (2) (a) and shall include the applicable
25 renewal fee specified under s. 440.08 (2) (a) determined by the department under s.

1 440.03 (9) (a). The examining board may not renew a license to practice dental
2 hygiene unless the applicant for renewal attests that he or she has complied with s.
3 447.055 and any rules promulgated by the department under s. 447.055 and that he
4 or she has a current certification in cardiopulmonary resuscitation.

5 **SECTION 3519.** 448.07 (2) of the statutes is amended to read:

6 448.07 (2) FEES. The fees for examination and licenses granted ~~or renewed~~
7 under this subchapter are specified in ~~ss. s.~~ 440.05, and 440.08 the renewal fee for
8 such licenses is determined by the department under s. 440.03 (9) (a).

9 **SECTION 3520.** 448.55 (2) of the statutes is amended to read:

10 448.55 (2) The renewal dates for licenses granted under this subchapter, other
11 than temporary licenses granted under rules promulgated under s. 448.53 (2), are
12 specified under s. 440.08 (2) (a). Renewal applications shall be submitted to the
13 department on a form provided by the department and shall include the renewal fee
14 specified in s. 440.08 (2) (a) determined by the department under s. 440.03 (9) (a) and
15 proof of compliance with the requirements established in any rules promulgated
16 under sub. (3).

17 **SECTION 3521.** 448.65 (2) (a) of the statutes is amended to read:

18 448.65 (2) (a) The renewal fee ~~specified in s. 440.08 (2) (a)~~ determined by the
19 department under 440.03 (9) (a).

20 **SECTION 3522.** 448.86 (2) of the statutes is amended to read:

21 448.86 (2) The renewal dates for certificates granted under this subchapter,
22 other than temporary certificates granted under s. 448.80, are specified under s.
23 440.08 (2) (a). Renewal applications shall be submitted to the department on a form
24 provided by the department and shall include the renewal fee ~~specified in s. 440.08~~
25 ~~(2) (a)~~ determined by the department under s. 440.03 (9) (a).

1 **SECTION 3523.** 448.955 (2) (intro.) of the statutes is amended to read:

2 448.955 (2) (intro.) Renewal applications shall be submitted to the department
3 on a form provided, subject to sub. (3), by the department and shall include the
4 renewal fee ~~specified in s. 440.08 (2) (a)~~ determined by the department under s.
5 440.03 (9) (a) and evidence satisfactory to the affiliated credentialing board that the
6 licensee has all of the following:

7 **SECTION 3524.** 448.967 (2) of the statutes is amended to read:

8 448.967 (2) The renewal dates for licenses granted under this subchapter are
9 specified under s. 440.08 (2) (a). Renewal applications shall be submitted to the
10 department on a form provided by the department and shall include the renewal fee
11 ~~specified in s. 440.08 (2) (a)~~ determined by the department under s. 440.03 (9) (a) and
12 a statement attesting compliance with the continuing education requirements
13 established in rules promulgated under s. 448.965 (1) (b).

14 **SECTION 3525.** 449.06 (1) of the statutes is amended to read:

15 449.06 (1) Persons practicing optometry shall, on or before the applicable
16 renewal date specified under s. 440.08 (2) (a), register with the department, pay the
17 applicable renewal fee ~~specified under s. 440.08 (2) (a)~~ determined by the department
18 under s. 440.03 (9) (a), and provide evidence satisfactory to the examining board that
19 he or she has complied with the rules promulgated under sub. (2m).

20 **SECTION 3526.** 449.17 (8) of the statutes is amended to read:

21 449.17 (8) REIMBURSEMENT PROHIBITED. No optometrist may be reimbursed
22 under s. 49.46 (2) (a) 3. or 49.471 (11) for any increase in charges or separate charge
23 which is attributable to the use of topical ocular diagnostic pharmaceutical agents.

24 **SECTION 3526a.** 450.01 (1p) of the statutes is created to read:

1 450.01 (1p) "Affiliated group" has the meaning given in section 1504 of the
2 Internal Revenue Code.

3 **SECTION 3526b.** 450.01 (1t) of the statutes is created to read:

4 450.01 (1t) "Authenticate" means to affirmatively verify, before wholesale
5 distribution of a prescription drug occurs, that each transaction listed on a pedigree
6 has occurred.

7 **SECTION 3526c.** 450.01 (1x) of the statutes is created to read:

8 450.01 (1x) "Authorized distributor of record" means a wholesale distributor
9 with whom a manufacturer has established an ongoing relationship to distribute the
10 manufacturer's prescription drug. For purposes of this subsection, an ongoing
11 relationship exists between a wholesale distributor and a manufacturer if all of the
12 following apply:

13 (a) The wholesale distributor, including any affiliated group of the wholesale
14 distributor, has in effect a written agreement with the manufacturer evidencing the
15 ongoing relationship.

16 (b) The wholesale distributor, including any affiliated group of the wholesale
17 distributor, is included in the manufacturer's current list of authorized distributors
18 of record.

19 **SECTION 3526d.** 450.01 (2m) of the statutes is created to read:

20 450.01 (2m) "Colicensed" means, with respect to a partner or product, that 2
21 or more parties have the right to engage in marketing or manufacturing of a product
22 consistent with the federal food and drug administration's implementation of the
23 federal prescription drug marketing act.

24 **SECTION 3526e.** 450.01 (9m) of the statutes is created to read:

1 450.01 (9m) "Drop shipment" means a sale of a prescription drug to a wholesale
2 distributor by the manufacturer of the drug, by the manufacturer's colicensed
3 product partner, by the manufacturer's 3rd party logistics provider, or by the
4 manufacturer's exclusive distributor, to which all of the following apply:

5 (a) The wholesale distributor or chain pharmacy warehouse takes title to, but
6 not physical possession of, the drug.

7 (b) The wholesale distributor invoices a pharmacy, a chain pharmacy
8 warehouse, or a person authorized to dispense or administer the drug to a patient.

9 (c) The pharmacy, chain pharmacy warehouse, or person authorized to
10 dispense or administer the drug receives delivery of the drug directly from the
11 manufacturer, the manufacturer's 3rd party logistics provider, or the manufacturer's
12 exclusive distributor.

13 **SECTION 3526f.** 450.01 (11m) of the statutes is created to read:

14 450.01 (11m) "Facility" means a location where a wholesale distributor stores,
15 handles, repackages, or offers for sale prescription drugs.

16 **SECTION 3526g.** 450.01 (11r) of the statutes is created to read:

17 450.01 (11r) "Intracompany sales" means any transaction or transfer between
18 any division, subsidiary, parent, or affiliated or related company under common
19 ownership and control of a corporate entity or any transaction or transfer between
20 colicensees of a colicensed product.

21 **SECTION 3526h.** 450.01 (12) of the statutes is amended to read:

22 450.01 (12) "Manufacturer" means a person licensed by the board under s.
23 450.07 (1) or approved by the federal food and drug administration to engage in the
24 manufacture of drugs or devices, consistent with the definition of "manufacturer"

1 under the federal food and drug administration's regulations and interpreted
2 guidances implementing the federal prescription drug marketing act.

3 **SECTION 3526i.** 450.01 (12m) of the statutes is created to read:

4 450.01 (12m) "Manufacturer's exclusive distributor" means a person that
5 contracts with a manufacturer to provide or coordinate warehousing, distribution,
6 or other services on behalf of the manufacturer and who takes title to the
7 manufacturer's prescription drug but who does not have general responsibility to
8 direct the sale or disposition of the drug.

9 **SECTION 3526j.** 450.01 (13r) of the statutes is created to read:

10 450.01 (13r) (a) "Normal distribution channel" means a chain of custody for a
11 prescription drug that runs, directly or by drop shipment, from the manufacturer of
12 a drug, from the manufacturer to the manufacturer's colicensed partner, from the
13 manufacturer to the manufacturer's 3rd-party logistics provider, or from the
14 manufacturer to the manufacturer's exclusive distributor, and continues as
15 described in any of the following:

16 1. To a pharmacy or to a person authorized to dispense or administer a drug to
17 a patient.

18 2. To an authorized distributor of record, and then to a pharmacy or to a person
19 authorized to dispense or administer a drug to a patient.

20 3. To an authorized distributor of record, then to one other authorized
21 distributor of record, then to an office-based practitioner.

22 4. To a pharmacy warehouse to the pharmacy warehouse's intracompany
23 pharmacy, then to a patient or to a person authorized to dispense or administer a
24 drug to a patient.

1 5. To an authorized distributor of record, then to a pharmacy warehouse, then
2 to the pharmacy warehouse's intracompany pharmacy, then to a patient or to a
3 person authorized to dispense or administer a drug to a patient.

4 (b) For purposes of this subsection, a distribution of a prescription drug to a
5 warehouse or to another entity that redistributes the drug by intracompany sale to
6 a pharmacy or to another person authorized to dispense or administer the drug
7 constitutes a distribution to the pharmacy or to the person authorized to dispense or
8 administer the drug.

9 **SECTION 3526k.** 450.01 (14m) of the statutes is created to read:

10 450.01 (14m) "Pedigree" means a document or electronic file containing
11 information that records each distribution of a prescription drug.

12 **SECTION 3526km.** 450.01 (15m) of the statutes is created to read:

13 450.01 (15m) "Pharmacy warehouse" means a physical location for
14 prescription drugs that acts as a central warehouse and performs intracompany
15 sales.

16 **SECTION 3526kr.** 450.01 (20) of the statutes is amended to read:

17 450.01 (20) "Prescription drug" means all of the following, but does not include
18 blood, blood components intended for transfusion, or biological products that are also
19 medical devices:

20 (a) ~~Any A~~ drug, drug product, or drug-containing preparation ~~which~~ that is
21 subject to 21 USC 353 (b) or 21 CFR 201.105.

22 (b) ~~Any A~~ controlled substance included in schedules II to V of ch. 961, whether
23 by statute or rule, except ~~substances which~~ a substance that by law may be dispensed
24 without the prescription order of a practitioner. Controlled substances are included

1 within this definition for purposes of s. 450.11 (3), (4) (a), and (8) only and for
2 violations thereof punishable under s. 450.11 (9).

3 **SECTION 3526L.** 450.01 (21e) of the statutes is created to read:

4 450.01 (21e) "Repackage" means to repack or otherwise change the container,
5 wrapper, or label of a prescription drug, except that "repackage" does not include any
6 of the following:

7 (a) An action by a pharmacist with respect to a prescription drug that the
8 pharmacist is dispensing.

9 (b) An action by a pharmacist who receives a prescription drug or device that
10 the pharmacist dispensed to a patient, if, after altering the packaging or labeling of
11 the prescription drug or device, the pharmacist returns the prescription drug or
12 device to the patient.

13 **SECTION 3526m.** 450.01 (21m) of the statutes is created to read:

14 450.01 (21m) "Repackager" means a person that repackages.

15 **SECTION 3526n.** 450.01 (21s) of the statutes is created to read:

16 450.01 (21s) "Third party logistics provider" means a person that contracts
17 with a prescription drug manufacturer to provide or coordinate warehousing,
18 distribution, or other services on behalf of the manufacturer but that does not take
19 title to the manufacturer's prescription drug or have general responsibility to direct
20 the prescription drug's sale or disposition.

21 **SECTION 3526o.** 450.01 (23) of the statutes is created to read:

22 450.01 (23) "Wholesale distribution" means distribution of a prescription drug
23 to a person other than a consumer or patient, but does not include any of the
24 following:

25 (a) Intracompany sales of prescription drugs.

1 (b) The sale, purchase, distribution, trade, or transfer of a prescription drug or
2 offer to sell, purchase, distribute, trade, or transfer a prescription drug for emergency
3 medical reasons.

4 (c) The distribution of prescription drug samples, if the distribution is
5 permitted under 21 CFR 353 (d).

6 (d) Drug returns, when conducted by a hospital, health care entity, or
7 charitable institution as provided in 21 CFR 203.23.

8 (e) The sale of minimal quantities, as defined by the board in an administrative
9 rule, of prescription drugs by retail pharmacies to licensed practitioners for office
10 use.

11 (f) The sale, purchase, or trade of a drug, an offer to sell, purchase, or trade a
12 drug, or the dispensing of a drug pursuant to a prescription.

13 (g) The sale, transfer, merger, or consolidation of all or part of the business of
14 a pharmacy from or with another pharmacy, whether accomplished as a purchase
15 and sale of stock or business assets.

16 (h) The sale, purchase, distribution, trade, or transfer of a prescription drug
17 from one authorized distributor of record to one additional authorized distributor of
18 record, if the manufacturer states in writing to the receiving authorized distributor
19 of record that the manufacturer is unable to supply the drug and the supplying
20 authorized distributor of record states in writing that the drug has previously been
21 exclusively in the normal distribution channel.

22 (i) The delivery of, or offer to deliver, a prescription drug by a common carrier
23 solely in the common carrier's usual course of business of transporting prescription
24 drugs, if the common carrier does not store, warehouse, or take legal ownership of
25 the drug.

1 (j) A transaction excluded from the definition of "wholesale distribution" under
2 21 CFR 203.3 (cc).

3 (k) The donation or distribution of a prescription drug under s. 255.056.

4 (L) The transfer from a retail pharmacy or pharmacy warehouse of an expired,
5 damaged, returned, or recalled prescription drug to the original manufacturer or
6 original wholesale distributor or to a 3rd-party returns processor or reverse
7 distributor.

8 (m) The return of a prescription drug, if the return is authorized by the law of
9 this state.

10 **SECTION 3526p.** 450.01 (24) of the statutes is created to read:

11 450.01 (24) "Wholesale distributor" means a person engaged in the wholesale
12 distribution of prescription drugs, including manufacturers, repackagers, own-label
13 distributors, private label distributors, jobbers, brokers, warehouses, including
14 manufacturers' and distributors' warehouses, manufacturers' exclusive
15 distributors, manufacturers' authorized distributors of record, prescription drug
16 wholesalers and distributors, independent wholesale prescription drug traders, 3rd
17 party logistics providers, retail pharmacies that conduct wholesale distribution, and
18 chain pharmacy warehouses that conduct wholesale distribution.

19 **SECTION 3527.** 450.06 (2) (c) of the statutes is amended to read:

20 450.06 (2) (c) The initial credential fee under s. 440.05 (1) determined by the
21 department under s. 440.03 (9) (a) is paid.

22 **SECTION 3528.** 450.065 (2) (d) of the statutes is amended to read:

23 450.065 (2) (d) Pays the initial credential fee under s. 440.05 (1) determined
24 by the department under s. 440.03 (9) (a).

25 **SECTION 3530a.** 450.07 (title) of the statutes is amended to read:

1 **450.07 (title) Manufacturers and distributors; licensure.**

2 **SECTION 3530a.** 450.07 (1) of the statutes is amended to read:

3 450.07 (1) No person may engage in manufacturing in this state unless the
4 person obtains a manufacturer's license from the board. For the issuance of a license
5 under this subsection, the applicant shall pay the initial credential fee specified in
6 s. 440.05 (1) determined by the department under s. 440.03 (9) (a).

7 **SECTION 3530b.** 450.07 (2) of the statutes is repealed.

8 **SECTION 3530c.** 450.07 (3) of the statutes is repealed.

9 **SECTION 3530d.** 450.07 (4) (c) of the statutes is created to read:

10 450.07 (4) (c) The rules adopted by the board under par. (b) shall require a
11 manufacturer to maintain and to update at least once per month a list of the
12 manufacturer's authorized distributors of record.

13 **SECTION 3530e.** 450.071 of the statutes is created to read:

14 **450.071 Wholesale distributors; licensure.** (1) No person may engage in
15 the wholesale distribution of a prescription drug in this state without obtaining a
16 license from the board for each facility from which the person distributes
17 prescription drugs. The board shall exempt a manufacturer that distributes
18 prescription drugs or devices manufactured by the manufacturer from licensing and
19 other requirements under this section to the extent the license or requirement is not
20 required under federal law or regulation, unless the board determines that it is
21 necessary to apply a requirement to a manufacturer.

22 (2) An applicant shall submit a form provided by the board showing all of the
23 following and swear or affirm the truthfulness of each item in the application:

24 (a) The name, business address, and telephone number of the applicant.

25 (b) All trade or business names used by the applicant.

1 (c) Names, addresses, and telephone numbers of contact persons for all
2 facilities used by the applicant for the storage, handling, and distribution of
3 prescription drugs.

4 (d) The type of ownership or operation for the applicant's business.

5 (e) If the applicant's wholesale distribution business is a partnership, the name
6 of each partner and the name of the partnership.

7 (f) If the applicant's wholesale distribution business is a corporation, the name
8 of each corporate officer and director, the name of the corporation, and the state of
9 incorporation.

10 (g) If the applicant's wholesale distribution business is a sole proprietorship,
11 the name of the sole proprietor and the name of the business entity.

12 (h) A list of all licenses and permits issued to the applicant by any other state
13 that authorizes the applicant to purchase or possess prescription drugs.

14 (i) The name, address, and telephone number of a designated representative.

15 (j) For the person listed in par. (i), a personal information statement that
16 contains all of the following:

17 1. The person's date and place of birth.

18 2. The person's places of residence for the 7-year period immediately preceding
19 the date of the application.

20 3. The person's occupations, positions of employment, and offices held during
21 the 7-year period immediately preceding the date of the application.

22 4. The name and addresses for each business, corporation, or other entity listed
23 in subd. 3.

24 5. A statement indicating whether the person has been, during the 7-year
25 period immediately preceding the date of the application, the subject of any

1 proceeding for the revocation of any business or professional license and the
2 disposition of the proceeding.

3 6. A statement indicating whether the person has been, during the 7-year
4 period immediately preceding the date of the application, enjoined by a court, either
5 temporarily or permanently, from possessing, controlling, or distributing any
6 prescription drug, and a description of the circumstances surrounding the
7 injunction.

8 7. A description of any involvement by the person during the past 7 years with
9 any business, including investments other than the ownership of stock in a publicly
10 traded company or mutual fund, that manufactured, administered, prescribed,
11 distributed, or stored pharmaceutical products or drugs, and a list of any lawsuits
12 in which such a business was named as a party.

13 8. A description of any misdemeanor or felony criminal offense of which the
14 person was, as an adult, found guilty, whether adjudication of guilt was withheld or
15 the person pleaded guilty or no contest. If the person is appealing a criminal
16 conviction, the application shall include a copy of the notice of appeal, and the
17 applicant shall submit a copy of the final disposition of the appeal not more than 15
18 days after a final disposition is reached.

19 9. A photograph of the person taken within the 12-month period immediately
20 preceding the date of the application.

21 (k) A statement that each facility used by the applicant for the wholesale
22 distribution of prescription drugs has been inspected in the 3-year period
23 immediately preceding the date of the application by the board, a pharmacy
24 examining board of another state, the National Association of Boards of Pharmacy,

1 or another accrediting body recognized by the board, with the date of each such
2 inspection.

3 (3) The board shall grant a license to the applicant to engage in the wholesale
4 distribution of prescription drugs if all of the following apply:

5 (a) The applicant pays the fee under s. 440.05 (1) (a), except that before June
6 1, 2010, the amount of the initial fee is \$350.

7 (b) The inspections conducted pursuant to sub. (2) (k) satisfy requirements
8 adopted by the board for wholesale distribution facilities.

9 (c) All of the following apply to each person identified by the applicant as a
10 designated representative:

11 1. The person is at least 21 years old.

12 2. The person has been employed full time for at least 3 years in a pharmacy
13 or with a wholesale prescription drug distributor in a capacity related to the
14 dispensing and distribution of, and record keeping related to, prescription drugs.

15 3. The person is employed by the applicant full time in a managerial level
16 position.

17 4. The person is physically present at the wholesale prescription drug
18 distributor's facility during regular business hours and is involved in and aware of
19 the daily operation of the wholesale prescription drug distributor. This subdivision
20 does not preclude the designated representative from taking authorized sick leave
21 and vacation time or from being absent from the facility for other authorized
22 business or personal purposes.

23 5. The person is actively involved in and aware of the daily operations of the
24 wholesale distributor.

1 6. The person is a designated representative for only one applicant at any given
2 time. This subdivision does not apply if more than one wholesale distributor is
3 located at the facility and the wholesale distributors located at the facility are
4 members of an affiliated group.

5 7. The person has not been convicted of violating any federal, state, or local law
6 relating to wholesale or retail prescription drug distribution or distribution of a
7 controlled substance.

8 8. The person has not been convicted of a felony.

9 9. The person submits to the department 2 fingerprint cards, each bearing a
10 complete set of the applicant's fingerprints. The department of justice shall provide
11 for the submission of the fingerprint cards to the federal bureau of investigation for
12 the purposes of verifying the identity of the applicant and obtaining the applicant's
13 criminal arrest and conviction record. This subdivision does not apply to a person
14 accredited by the national association of boards of pharmacy's verified-accredited
15 wholesale distributor program.

16 **(3m)** Notwithstanding subs. (2) and (3), the board may grant a license to
17 engage in the wholesale distribution of prescription drugs to a person who is
18 domiciled in another state and is licensed to engage in the wholesale distribution of
19 prescription drugs in another state, if the board determines that the standards for
20 licensure in the state in which the person is licensed are at least as stringent as the
21 standards for licensure under this section.

22 **(4)** The board may set, by rule, continuing education requirements for
23 designated representatives under this section.

24 **(5)** (a) The board shall require every wholesale distributor to submit a surety
25 bond acceptable to the board in an amount not to exceed \$100,000 or other equivalent

1 means of security acceptable to the board, except that the board shall not require
2 submission of a bond or other security under this subsection by a chain pharmacy
3 warehouse that is engaged only in intracompany transfers. A wholesale distributor
4 that operates more than one facility is not required to submit a bond or other security
5 under this paragraph for each facility.

6 (b) The bond or other security under this subsection shall be used to secure
7 payment of fees or costs that relate to the issuance of a license under this section and
8 that have not been paid within 30 days after the fees or costs have become final. No
9 claim may be made against a wholesale distributor's bond or other security under
10 this subsection more than one year after the date on which the wholesale
11 distributor's license expires.

12 (6) Applications for licensure under this section are not subject to inspection
13 or copying under s. 19.35, and may not be disclosed to any person except as necessary
14 for compliance with and enforcement of the provisions of this chapter.

15 **SECTION 3530eg.** 450.071 (3) (a) of the statutes, as created by 2007 Wisconsin
16 Act (this act), is amended to read:

17 450.071 (3) (a) The applicant pays the fee under s. 440.05 (1) (a), ~~except that~~
18 ~~before June 1, 2010, the amount of the initial fee is \$350.~~

19 **SECTION 3530g.** 450.072 of the statutes is created to read:

20 **450.072 Wholesale distributors; restrictions on transactions.** (1) A
21 wholesale distributor shall receive prescription drug returns or exchanges from a
22 pharmacy, a person authorized to administer or dispense drugs, or a pharmacy's
23 intracompany warehouse pursuant to the terms and conditions of the agreement
24 between the wholesale distributor and the pharmacy or chain pharmacy warehouse.
25 A wholesale distributor that receives returns of expired, damaged, recalled, or

1 otherwise nonsaleable prescription drugs may distribute the prescription drugs only
2 to the original manufacturer of the products or to a 3rd party returns processor.
3 Notwithstanding s. 450.073, returns or exchanges of saleable or nonsaleable
4 prescription drugs, including any redistribution by a receiving wholesaler, are not
5 subject to pedigree requirements under s. 450.073 if the returns or exchanges are
6 exempt from the pedigree requirement under the federal food and drug
7 administration's current guidance on the federal prescription drug marketing act.
8 A person licensed under s. 450.071 or a pharmacy or other person authorized to
9 administer or dispense drugs shall ensure that the person or pharmacy's return
10 process is secure and does not permit the entry of adulterated and counterfeit
11 products.

12 (2) (a) A manufacturer or wholesale distributor may not deliver prescription
13 drugs to a person unless the person is licensed under s. 450.071 or 450.06 or by the
14 appropriate licensing authority of another state. A manufacturer or wholesale
15 distributor may not deliver prescription drugs to a person that is not known to the
16 manufacturer or wholesale distributor unless the manufacturer or wholesale
17 distributor has verified with the board or with the licensing authority of the state in
18 which the person is located that the person is licensed to receive prescription drugs.

19 (b) A manufacturer or wholesale distributor may distribute a prescription drug
20 only to the premises listed on the person's license or authorization, except that a
21 manufacturer or wholesale distributor may distribute the prescription drugs to an
22 authorized agent of the person at the premises of the manufacturer or wholesale
23 distributor if all of the following are true:

24 1. The manufacturer or wholesale distributor documents the authorized
25 agent's name and address.

1 2. Distribution to an authorized agent is necessary to promote or protect the
2 immediate health or safety of the authorized agent's patient.

3 (c) A manufacturer or wholesale distributor may distribute a prescription drug
4 to a hospital pharmacy receiving area if a licensed pharmacist or another authorized
5 recipient signs, at the time of the distribution, a receipt that shows the type and
6 quantity of prescription drugs distributed. If there is a discrepancy between the type
7 and quantity of prescription drugs indicated on the receipt and the type and quantity
8 of prescription drugs received at the hospital pharmacy receiving area, the
9 discrepancy shall be reported to the manufacturer or wholesale distributor that
10 distributed the prescription drugs no later than the day immediately following the
11 date on which the prescription drugs were distributed to the hospital pharmacy
12 receiving area.

13 (d) No manufacturer or wholesale distributor may accept payment for, or allow
14 the use of, a person's credit to establish an account for the purchase of a prescription
15 drug from any person other than the owner of record, the chief executive officer, or
16 the chief financial officer identified on the license or authorization of a person who
17 may receive prescription drugs. Any account established for the purchase of
18 prescription drugs shall bear the name of the licensed or authorized person.

19 **SECTION 3530h.** 450.073 of the statutes is created to read:

20 **450.073 Wholesale distributors; pedigree.** (1) A wholesale distributor
21 shall establish and maintain a pedigree for each prescription drug that leaves, or has
22 ever left, the normal distribution channel. Before a wholesale distribution of a
23 prescription drug leaves the normal distribution channel, a wholesale distributor
24 shall provide a copy of the pedigree to the person receiving the drug. This section
25 does not apply to a retail pharmacy or pharmacy intracompany warehouse unless the

1 pharmacy or pharmacy intracompany warehouse engages in the wholesale
2 distribution of prescription drugs.

3 (2) A pedigree shall contain all necessary identifying information concerning
4 each sale in the chain of the distribution of the prescription drug from the
5 manufacturer of the prescription drug or the manufacturers 3rd-party logistics
6 provider, colicensed product partner, or exclusive distributor until final sale or
7 distribution to a pharmacy or a person dispensing or distributing the prescription
8 drug. The pedigree shall include all of the following:

9 (a) The name, address, telephone number, and, if available, electronic mail
10 address of each recipient or distributor of the prescription drug in the chain of
11 distribution, until the final sale or distribution described in sub. (2) (intro.).

12 (b) The name and address of each facility from which the prescription drug was
13 distributed, if different from the address provided in par. (a).

14 (c) The date of each distribution.

15 (d) A certification that every recipient has authenticated the pedigree before
16 distribution of the prescription drug to the next point in the chain of distribution.

17 (e) The name, dosage strength, size and number of containers, lot number, and
18 name of the manufacturer for each prescription drug.

19 (3) The board shall promulgate rules implementing an electronic track and
20 trace pedigree system. Not later than July 1, 2010, the board shall determine the
21 date on which the system will be implemented. The system may not be implemented
22 before July 1, 2011, and the board may delay the implementation date in increments
23 if the board determines that the technology to implement the system is not yet
24 universally available across the prescription drug supply chain or is not capable of
25 adequately protecting patient safety.

1 (4) A person who is engaged in the wholesale distribution of a prescription
2 drug, including a repackager but not including the original manufacturer of the
3 prescription drug, who possesses a pedigree for the prescription drug, and who
4 intends to further distribute the prescription drug, shall verify that each transaction
5 recorded on the pedigree has occurred before the person may distribute the
6 prescription drug.

7 (5) (a) A pedigree shall be maintained by a person who purchases prescription
8 drugs identified in the pedigree and by a wholesale distributor who distributes
9 prescription drugs identified in the pedigree for not less than 3 years from the date
10 of sale or distribution.

11 (b) A person maintaining a pedigree under par. (a) shall make the pedigree
12 available for inspection or use by a law enforcement officer within 7 days after the
13 law enforcement officer's request.

14 **SECTION 3530i.** 450.074 of the statutes is created to read:

15 **450.074 Wholesale distributors; prohibited actions, enforcement,**
16 **penalties.** (1) If the board finds that there is a reasonable probability that a
17 wholesale distributor, other than a manufacturer, has done any of the following, that
18 continued distribution of a prescription drug involved in the occurrence could cause
19 death or serious adverse health consequences, and that additional procedures would
20 result in an unreasonable delay, the board shall issue an order requiring that
21 distribution of a prescription drug in this state cease immediately:

22 (a) Violated a provision of ss. 450.071 to 450.073.

23 (b) Falsified a pedigree or sold, distributed, transferred, manufactured,
24 repackaged, handled, or held a counterfeit prescription drug intended for human
25 use.

1 (2) If the board issues an order under sub. (1), the board shall provide the
2 person who is the subject of the order an opportunity for an informal hearing not
3 more than 10 days after the date on which the order is issued. If, after a hearing, the
4 board determines that the order was issued without sufficient grounds, the board
5 shall vacate the order.

6 (3) Any person who knowingly does any of the following is guilty of a Class H
7 felony:

8 (a) Fails to obtain a license required under s. 450.071.

9 (b) Purchases or otherwise receives a prescription drug from a pharmacy in
10 violation of s. 450.072 (1).

11 (c) Violates s. 450.072 (2) (a), if the person is required to obtain a license under
12 s. 450.071.

13 (d) Violates s. 450.072 (2) (b).

14 (e) Violates s. 450.072 (2) (d).

15 (f) Violates s. 450.073.

16 (g) Provides false or fraudulent records to, or makes a false or fraudulent
17 statement to, the board, a representative of the board, or a federal official.

18 (h) Obtains or attempts to obtain a prescription drug by fraud, deceit, or
19 misrepresentation, or engages in misrepresentation or fraud in the distribution of
20 a prescription drug.

21 (i) Manufactures, repackages, sells, transfers, delivers, holds, or offers for sale
22 a prescription drug that is adulterated, misbranded, counterfeit, suspected of being
23 counterfeit, or otherwise unfit for distribution, except for wholesale distribution by
24 a manufacturer of a prescription drug that has been delivered into commerce
25 pursuant to an application approved by the federal food and drug administration.

1 (j) Adulterates, misbrands, or counterfeits a prescription drug, except for
2 wholesale distribution by a manufacturer of a prescription drug that has been
3 delivered into commerce pursuant to an application approved by the federal food and
4 drug administration.

5 (k) Receives a prescription drug that has been adulterated, misbranded, stolen,
6 obtained by fraud or deceit, counterfeited, or suspected of being counterfeited, and
7 delivers or proffers such a drug.

8 (L) Alters, mutilates, destroys, obliterates, or removes any part of the labeling
9 of a prescription drug or commits another act that results in the misbranding of a
10 prescription drug.

11 (4) Subsection (3) does not apply to a prescription drug manufacturer or an
12 agent of a prescription drug manufacturer, if the manufacturer or agent is obtaining
13 or attempting to obtain a prescription drug for the sole purpose of testing the
14 authenticity of the prescription drug.

15 **SECTION 3531.** 450.08 (2) (a) of the statutes is amended to read:

16 450.08 (2) (a) A pharmacist's license may be renewed by complying with
17 continuing education requirements under s. 450.085 and paying the applicable fee
18 ~~specified under s. 440.08 (2) (a)~~ determined by the department under s. 440.03 (9) (a)
19 on or before the applicable renewal date specified under s. 440.08 (2) (a). Failure to
20 obtain renewal within the time period specified under this paragraph terminates the
21 right of the person to be licensed as a pharmacist, and such right can only be acquired
22 by passing an examination to the satisfaction of the board.

23 **SECTION 3532.** 450.08 (2) (b) of the statutes is amended to read:

24 450.08 (2) (b) A pharmacy, manufacturer's or distributor's license may be
25 renewed by paying the applicable fee ~~specified under s. 440.08 (2) (a)~~ determined by

1 the department under s. 440.03 (9) (a) on or before the applicable renewal date
2 specified under s. 440.08 (2) (a).

3 **SECTION 3533.** 451.04 (4) of the statutes is amended to read:

4 451.04 (4) EXPIRATION AND RENEWAL. Renewal applications shall be submitted
5 to the department on a form provided by the department on or before the applicable
6 renewal date specified under s. 440.08 (2) (a) and shall include the applicable
7 renewal fee ~~specified under s. 440.08 (2) (a)~~ determined by the department under s.
8 440.03 (9) (a).

9 **SECTION 3534.** 452.025 (1) (c) of the statutes is amended to read:

10 452.025 (1) (c) Each application for registration as a time-share salesperson
11 shall be accompanied by an initial credential fee ~~specified in s. 440.05 (1)~~ determined
12 by the department under s. 440.03 (9) (a) or the applicable renewal fee specified
13 under s. 440.08 (2) (a) determined by the department under s. 440.03 (9) (a),
14 whichever is appropriate.

15 **SECTION 3535.** 452.025 (5) (b) of the statutes is amended to read:

16 452.025 (5) (b) An application to renew a certificate of registration granted
17 under this section shall be submitted with the applicable renewal fee ~~specified under~~
18 s. 440.08 (2) (a) determined by the department under s. 440.03 (9) (a) on or before the
19 applicable renewal date specified under s. 440.08 (2) (a).

20 **SECTION 3536.** 452.10 (3) of the statutes is amended to read:

21 452.10 (3) The fees for examinations and licenses granted ~~or renewed~~ under
22 this chapter are specified under ~~ss. s.~~ s. 440.05, and 440.08 the renewal fee for such
23 licenses is determined by the department under s. 440.03 (9) (a).

24 **SECTION 3537.** 452.12 (2) (c) of the statutes is amended to read:

1 452.12 (2) (c) Application for a business entity license shall be made on forms
2 prescribed by the department, listing the names and addresses of all business
3 representatives, and shall be accompanied by the initial credential fee specified in
4 ~~s. 440.05 (1)~~ determined by the department under s. 440.03 (9) (a). If there is a
5 change in any of the business representatives, the change shall be reported to the
6 department, on the same form, within 30 days after the effective date of the change.

7 **SECTION 3538.** 452.12 (5) (a) of the statutes is amended to read:

8 452.12 (5) (a) Renewal applications for all licenses shall be submitted with the
9 applicable renewal fee specified under s. 440.08 (2) (a) determined by the department
10 under s. 440.03 (9) (a) on or before the applicable renewal date specified under s.
11 440.08 (2) (a).

12 **SECTION 3539.** 452.12 (6) (e) 1. of the statutes is amended to read:

13 452.12 (6) (e) 1. If a person has registered as an inactive licensee before
14 November 1, 1990, the department shall reinstate the person's original license if that
15 person applies to the department for reinstatement of his or her original license, pays
16 the fees fee specified under s. 440.05 (1) (a) ~~and (b)~~, passes an examination under s.
17 452.09 (3) and completes the education requirements established by the department
18 under par. (f).

19 **SECTION 3540.** 452.12 (6) (e) 2. of the statutes is amended to read:

20 452.12 (6) (e) 2. If a person has registered as an inactive licensee on or after
21 November 1, 1990, the department shall reinstate the person's original license if that
22 person applies to the department for reinstatement of his or her original license, pays
23 the renewal fee specified under s. 440.08 (2) (a) determined by the department under
24 s. 440.03 (9) (a) for the original license and completes 12 hours of continuing
25 education as established by the department under par. (f). A person who is eligible

1 for reinstatement of his or her original license under this subdivision shall complete
2 the requirements for reinstatement under this subdivision before January 1, 1996,
3 or within 5 years after the date on which the person registered as an inactive licensee,
4 whichever is later.

5 **SECTION 3541.** 453.062 (1) of the statutes is amended to read:

6 453.062 (1) RENEWAL. The renewal dates ~~and renewal fees~~ for veterinary
7 licenses and veterinary technician certifications are specified under s. 440.08 (2) (a),
8 and the renewal fees for such licenses and certifications are determined by the
9 department under s. 440.03 (9) (a).

10 **SECTION 3542.** 454.06 (1) (a) of the statutes is amended to read:

11 454.06 (1) (a) The applicant pays the initial credential fee ~~specified in s. 440.05~~
12 ~~(1) determined by the department under s. 440.03 (9) (a),~~ except as provided in s.
13 454.13 (1).

14 **SECTION 3543.** 454.06 (8) of the statutes is amended to read:

15 454.06 (8) EXPIRATION AND RENEWAL. The renewal date ~~and renewal fee~~ for
16 licenses issued under subs. (2) to (6) ~~are~~ is specified under s. 440.08 (2) (a), and the
17 renewal fees for such licenses are determined by the department under s. 440.03 (9)
18 (a).

19 **SECTION 3544.** 454.08 (3) of the statutes is amended to read:

20 454.08 (3) The examining board shall issue an establishment license to any
21 person who pays the initial credential fee ~~specified in s. 440.05 (1) determined by the~~
22 department under s. 440.03 (9) (a) and who satisfies the requirements established
23 by the examining board by rule, including proof of ownership of the business. Any
24 change of ownership shall be reported to the examining board by the new owner
25 within 5 days after the change of ownership.

1 **SECTION 3545.** 454.08 (9) of the statutes is amended to read:

2 454.08 (9) The renewal date ~~and renewal fee~~ for licenses issued under this
3 section ~~are~~ is specified under s. 440.08 (2) (a), and the renewal fee for such licenses
4 is determined by the department under s. 440.03 (9) (a).

5 **SECTION 3546.** 455.06 of the statutes is amended to read:

6 **455.06 Renewals.** The renewal date ~~and renewal fee~~ for licenses issued under
7 s. 455.04 (1) and (4) ~~are~~ is specified under s. 440.08 (2) (a), and the renewal fee for
8 such licenses is determined by the department under s. 440.03 (9) (a). An applicant
9 for renewal of a license shall include with his or her application proof of completion
10 of continuing education programs or courses approved under s. 455.065 (4) for the
11 minimum number of hours required in the rules promulgated under s. 455.065 (1).

12 **SECTION 3547.** 455.07 (2) of the statutes is amended to read:

13 455.07 (2) The fee for renewal of a license under this chapter is specified under
14 s. 440.08 (2) (a) determined by the department under s. 440.03 (9) (a).

15 **SECTION 3548.** 456.07 (2) of the statutes is amended to read:

16 456.07 (2) The application for a new certificate of registration shall include the
17 applicable renewal fee ~~specified under s. 440.08 (2) (a)~~ determined by the department
18 under s. 440.03 (9) (a) and evidence satisfactory to the examining board that during
19 the biennial period immediately preceding application for registration the applicant
20 has attended a continuation education program or course of study. During the time
21 between initial licensure and commencement of a full 2-year licensure period new
22 licensees shall not be required to meet continuing education requirements. All
23 registration fees are payable on or before the applicable renewal date specified under
24 s. 440.08 (2) (a).

25 **SECTION 3549.** 457.20 (3) (a) of the statutes is amended to read:

1 457.20 (3) (a) The renewal fee ~~specified in s. 440.08 (2) (a)~~ determined by the
2 department under s. 440.03 (9) (a).

3 **SECTION 3550.** 458.11 of the statutes is amended to read:

4 **458.11 Expiration and renewal.** Renewal applications shall be submitted
5 to the department on a form provided by the department on or before the applicable
6 renewal date specified under s. 440.08 (2) (a) and shall include the applicable
7 renewal fee ~~specified under s. 440.08 (2) (a)~~ determined by the department under s.
8 440.03 (9) (a). Renewal of an appraiser certificate automatically renews the
9 individual's appraiser license without payment of the renewal fee for the appraiser
10 license or completion of any additional continuing education requirements that
11 would otherwise be required for renewal of the appraiser license. Renewal
12 applications shall be accompanied by proof of completion of the continuing education
13 requirements in s. 458.13. Notwithstanding s. 458.06 (3) (b) 2. and (4) (b) 2., 1989
14 stats., and s. 458.08 (3) (b) 2. and (c) 2., 1991 stats., the department may not renew
15 a certificate that was granted under s. 458.06 (3) or (4) before May 29, 1993, unless
16 the holder of the certificate submits evidence satisfactory to the department that he
17 or she has successfully completed the applicable educational requirements specified
18 in rules promulgated under s. 458.085 (1) and the department may not renew a
19 certificate that was granted under s. 458.08 (3) before May 29, 1993, unless the
20 holder of the certificate submits evidence satisfactory to the department that he or
21 she has successfully completed the applicable education and experience
22 requirements specified in rules promulgated under s. 458.085 (1) and (2).

23 **SECTION 3551.** 459.09 (1) (a) of the statutes is amended to read:

24 459.09 (1) (a) Pay to the department the applicable renewal fee ~~specified under~~
25 s. 440.08 (2) (a) determined by the department under s. 440.03 (9) (a).

1 **SECTION 3552.** 459.24 (5) (a) of the statutes is amended to read:

2 459.24 (5) (a) The renewal fee ~~specified in s. 440.08 (2) (a)~~ determined by the
3 department under s. 440.03 (9) (a).

4 **SECTION 3553.** 460.07 (2) (a) of the statutes is amended to read:

5 460.07 (2) (a) The renewal fee ~~specified in s. 440.08 (2) (a)~~ determined by the
6 department under s. 440.03 (9) (a).

7 **SECTION 3554.** 470.045 (3) (a) of the statutes is amended to read:

8 470.045 (3) (a) A firm, partnership or corporation desiring a certificate of
9 authorization shall submit an application to the department on forms provided by
10 the department, listing the names and addresses of all officers and directors, and all
11 individuals in its employment licensed to practice professional geology, hydrology or
12 soil science in this state who will be in responsible charge of professional geology,
13 hydrology or soil science being practiced in this state through the firm, partnership
14 or corporation and other relevant information required by the appropriate section of
15 the examining board. A similar type of form shall also accompany the renewal fee.
16 If there is a change in any of these persons, the change shall be reported on the same
17 type of form, and filed with the department within 30 days after the effective date
18 of the change. The appropriate section of the examining board shall grant a
19 certificate of authorization to a firm, partnership or corporation complying with this
20 subsection upon payment of the initial credential fee ~~specified in s. 440.05 (1)~~
21 determined by the department under s. 440.03 (9) (a). This subsection does not apply
22 to firms, partnerships or corporations exempt under s. 470.025 (3).

23 **SECTION 3555.** 470.045 (3) (b) of the statutes is amended to read:

24 470.045 (3) (b) The renewal date ~~and renewal fee~~ for certificates of
25 authorization under this section ~~are~~ is specified under s. 440.08 (2) (a), and the

1 renewal fee for such certificates is determined by the department under s. 440.03 (9)
2 (a).

3 **SECTION 3556.** 470.07 of the statutes is amended to read:

4 **470.07 Renewal of licenses.** The renewal dates for licenses granted under
5 this chapter are specified under s. 440.08 (2) (a). Renewal applications shall be
6 submitted to the department on a form provided by the department and shall include
7 the renewal fee ~~specified in s. 440.08 (2) (a)~~ determined by the department under s.
8 440.03 (9) (a) and evidence satisfactory to the appropriate section of the examining
9 board that the applicant has completed any continuing education requirements
10 specified in rules promulgated under s. 470.03 (2).

11 **SECTION 3557.** 480.08 (3) (b) of the statutes is amended to read:

12 480.08 (3) (b) Pays the initial credential fee specified in s. 440.05 (1) determined
13 by the department under s. 440.03 (9) (a).

14 **SECTION 3558.** 480.08 (5) of the statutes is amended to read:

15 480.08 (5) EXPIRATION AND RENEWAL. The renewal date ~~and renewal fee~~ for
16 certificates granted under this chapter, other than temporary certificates granted
17 under sub. (7), ~~are is~~ specified under s. 440.08 (2) (a), and the renewal fee for
18 certificates granted under this chapter, other than temporary certificates granted
19 under sub. (7), is determined by the department under s. 440.03 (9) (a). Renewal
20 applications shall include evidence satisfactory to the department that the applicant
21 holds a current permit issued under s. 77.52 (9). A renewal application for an
22 auctioneer certificate shall be accompanied by proof of completion of continuing
23 education requirements under sub. (6).

24 **SECTION 3559.** 551.32 (1) (bm) 2. b. of the statutes is amended to read:

1 551.32 (1) (bm) 2. b. The division may disclose information under subd. 1. a.
2 to the department of ~~workforce development~~ children and families in accordance
3 with a memorandum of understanding under s. 49.857.

4 **SECTION 3560.** 551.32 (1) (bs) 1. of the statutes is amended to read:

5 551.32 (1) (bs) 1. If an applicant for the issuance or renewal of a license under
6 this section is an individual who does not have a social security number, the
7 applicant, as a condition of applying for or applying to renew the license, shall submit
8 a statement made or subscribed under oath or affirmation to the division that the
9 applicant does not have a social security number. The form of the statement shall
10 be prescribed by the department of ~~workforce development~~ children and families.

11 **SECTION 3561.** 551.34 (1m) (a) 3. of the statutes is amended to read:

12 551.34 (1m) (a) 3. The applicant is an individual who fails to comply, after
13 appropriate notice, with a subpoena or warrant issued by the department of
14 ~~workforce development~~ children and families or a county child support agency under
15 s. 59.53 (5) and related to paternity or child support proceedings or who is delinquent
16 in making court-ordered payments of child or family support, maintenance, birth
17 expenses, medical expenses or other expenses related to the support of a child or
18 former spouse, as provided in a memorandum of understanding entered into under
19 s. 49.857. An applicant whose application is denied under this subdivision for
20 delinquent payments is entitled to a notice and hearing under s. 49.857 but is not
21 entitled to any other notice or hearing under this section.

22 **SECTION 3562.** 551.34 (1m) (b) of the statutes is amended to read:

23 551.34 (1m) (b) Unless s. 551.32 (1) (bs) 1. applies to the licensee, the division
24 shall restrict or suspend a license under this subchapter if the licensee is an
25 individual who fails to provide his or her social security number. The division shall

1 restrict or suspend a license under this subchapter if the licensee is an individual
2 who fails to comply, after appropriate notice, with a subpoena or warrant issued by
3 the department of ~~workforce development~~ children and families or a county child
4 support agency under s. 59.53 (5) and related to paternity or child support
5 proceedings or who is delinquent in making court-ordered payments of child or
6 family support, maintenance, birth expenses, medical expenses or other expenses
7 related to the support of a child or former spouse, as provided in a memorandum of
8 understanding entered into under s. 49.857. A licensee whose license is restricted
9 or suspended under this paragraph is entitled to a notice and hearing under s. 49.857
10 but is not entitled to any other notice or hearing under this section.

11 **SECTION 3563s.** 560.031 of the statutes is amended to read:

12 **560.031 Grants for ethanol production facilities.** Notwithstanding ss.
13 560.135 (2), 560.138 (2) (a), and 560.17 (3), the department may not make a grant for
14 an ethanol production facility on which construction begins after July 27, 2005,
15 unless a competitive bidding process is used for the construction of the ethanol
16 production facility.

17 **SECTION 3564.** 560.045 (1) of the statutes is amended to read:

18 560.045 (1) To the extent allowed under federal law or regulation, the
19 department shall give priority in the awarding of grants under housing programs to
20 grants for projects related to the redevelopment of brownfields, as defined in s.
21 ~~560.60 (1v)~~ 560.13 (1) (a).

22 **SECTION 3564m.** 560.12 of the statutes is repealed.

23 **SECTION 3564p.** 560.125 (3) (c) of the statutes is amended to read:

24 560.125 (3) (c) The applicant pays ~~30~~ 50 percent of the eligible costs for each
25 idling reduction unit covered by a grant under this section without the use of grants,

1 loans, or other financial assistance from this state or from a local governmental unit
2 in this state.

3 **SECTION 3564q.** 560.125 (4) (c) (intro.) of the statutes is amended to read:

4 560.125 (4) (c) (intro.) Subject to par. (d), the department may make ~~a grant~~
5 grants under this section from July 1, 2007, to June 30, 2011, of ~~70~~ 50 percent of the
6 eligible costs for a total of not more than the following number of idling reduction
7 units per applicant:

8 **SECTION 3564r.** 560.125 (4) (c) 6. a. of the statutes is repealed and recreated
9 to read:

10 560.125 (4) (c) 6. a. Thirty.

11 **SECTION 3564s.** 560.125 (4) (c) 7. of the statutes is renumbered 560.125 (4) (c)
12 7. (intro.) and amended to read:

13 560.125 (4) (c) 7. (intro.) If the applicant owns and operates more than 2,500
14 truck tractors with post-1998 diesel truck engines, ~~3~~ the greater of the following:

15 b. Three percent of the number of truck tractors with post-1998 diesel truck
16 engines that the applicant owns and operates.

17 **SECTION 3564t.** 560.125 (4) (c) 7. a. of the statutes is created to read:

18 560.125 (4) (c) 7. a. One-hundred twenty-five.

19 **SECTION 3564x.** 560.126 of the statutes is created to read:

20 **560.126 Renewable energy grants and loans.** (1) The department may
21 award a grant or make a loan from the appropriations under s. 20.143 (1) (ie) or (tm)
22 to a business or researcher to fund any of the following projects:

23 (a) Research and development, including demonstration projects, into
24 renewable energy technologies.

1 (b) Development of renewable energy sources and infrastructure in Wisconsin,
2 including the conversion of nonrenewable energy sources to renewable energy
3 sources.

4 (c) The commercial application of renewable energy technologies.

5 (d) The construction of one or more cellulosic ethanol production plants.

6 (2) (a) The department shall consider all of the following criteria to evaluate
7 applications for a grant or loan under this section:

8 1. The extent to which the project will aid in the research, development, or use
9 of renewable energy sources in Wisconsin.

10 2. The extent to which the project will improve the competitive position or
11 enhance the capabilities of Wisconsin's renewable energy industries.

12 3. Whether the project is one in which Wisconsin holds a competitive advantage
13 over other states.

14 4. The likelihood that the project will lead to the commercial application of new
15 practices or technologies that involve the development, production, processing, or
16 distribution of renewable energy.

17 5. The extent to which the project will use existing, surplus, or by-products of
18 natural resources in this state.

19 6. The extent to which the project will strengthen Wisconsin's existing
20 industries by converting wastes or by-products generated by existing industries into
21 renewable energy.

22 7. The extent to which the project will develop technologies to increase the
23 capacity of Wisconsin's manufacturing industries to utilize renewable energy
24 sources.

1 (b) The department may also consider the following criteria to evaluate
2 applications for a grant or loan under this section:

3 1. The criteria under ss. 560.602 and 560.605.

4 2. Whether the applicant is a small business, a minority owned business under
5 s. 560.80 (8), a locally owned business, or a farm.

6 3. The geographical distribution of grants awarded and loans made under this
7 section.

8 (3) A grant under this section may not exceed 50 percent of the costs of an
9 eligible project.

10 (4) In consultation with the department of agriculture, trade and consumer
11 protection, the department of natural resources, and the public service commission,
12 the department may promulgate rules necessary to administer this section.

13 **SECTION 3565g.** 560.13 (2) (a) (intro.) of the statutes is amended to read:

14 560.13 (2) (a) (intro.) Subject to subs. (4) and (5), from the appropriations
15 appropriation under s. 20.143 (1) ~~(br)~~ and (qm) the department may make a grant
16 to a person if all of the following apply:

17 **SECTION 3566m.** 560.135 of the statutes is repealed.

18 **SECTION 3568.** 560.14 (1) (ar) of the statutes is amended to read:

19 560.14 (1) (ar) "Brownfields" has the meaning given in s. ~~560.60 (1v)~~ 560.13 (1)
20 (a).

21 **SECTION 3569.** 560.145 of the statutes is repealed.

22 **SECTION 3570.** 560.147 of the statutes is repealed.

23 **SECTION 3571.** 560.15 (2) (d) of the statutes is repealed.

24 **SECTION 3572.** 560.16 of the statutes is repealed.

25 **SECTION 3573.** 560.17 (1) (am) of the statutes is amended to read:

1 560.17 (1) (am) "Brownfields" has the meaning given in s. ~~560.60 (1v)~~ 560.13
2 (1) (a).

3 **SECTION 3574.** 560.17 (1) (bm) of the statutes is amended to read:

4 560.17 (1) (bm) "Job" ~~has the meaning given in s. 560.60 (10)~~ means a position
5 providing full-time equivalent employment. "Job" does not include initial training
6 before an employment position begins.

7 **SECTION 3575.** 560.175 of the statutes is repealed.

8 **SECTION 3577.** 560.204 of the statutes is created to read:

9 **560.204 Hardware and software used to maintain medical records. (1)**

10 The department shall implement a program to certify health care providers as
11 eligible for the electronic medical records credit under ss. 71.07 (5i), 71.28 (5i), and
12 71.47 (5i).

13 (2) If the department certifies a health care provider under sub. (1), the
14 department shall determine the amount of credits to allocate to the health care
15 provider. The total amount of electronic medical records credits allocated to health
16 care providers in any year may not exceed \$10,000,000.

17 (3) The department shall inform the department of revenue of every health
18 care provider certified under sub. (1) and the amount of credits allocated to the health
19 care provider.

20 (4) The department, in consultation with the department of revenue, shall
21 promulgate rules to administer this section.

22 **SECTION 3577k.** 560.205 (1) (g) of the statutes is amended to read:

23 560.205 (1) (g) It is not engaged in real estate development, insurance,
24 banking, lending, lobbying, political consulting, professional services provided by
25 attorneys, accountants, business consultants, physicians, or health care

1 consultants, wholesale or retail trade, leisure, hospitality, transportation, or
2 construction, except construction of power production plants that derive energy from
3 a renewable resource, as defined in s. 196.378 (1) (h).

4 **SECTION 3578.** 560.205 (3) (d) of the statutes is amended to read:

5 560.205 (3) (d) *Rules.* The department of commerce, in consultation with the
6 department of revenue, shall promulgate rules to administer this section. The rules
7 shall further define “bona fide angel investment” for purposes of s. 71.07 (5d) (a) 1.
8 The rules shall limit the aggregate amount of tax credits under s. 71.07 (5d) that may
9 be claimed for investments in businesses certified under sub. (1) at \$3,000,000 per
10 calendar year for calendar years beginning after December 31, 2004. ~~The, and~~
11 \$5,500,000 per calendar year for calendar years beginning after December 31, 2007.
12 The rules shall also limit the aggregate amount of the tax credits under ss. 71.07 (5b),
13 71.28 (5b), and 71.47 (5b) that may be claimed for investments paid to fund managers
14 certified under sub. (2) at \$3,500,000 per calendar year for calendar years beginning
15 after December 31, 2004, and \$6,000,000 per calendar year for calendar years
16 beginning after December 31, 2007. The rules shall also provide that, for calendar
17 years beginning after December 31, 2007, no person may receive a credit under ss.
18 71.07 (5b) and (5d), 71.28 (5b), or 71.47 (5b) unless the person’s investment is kept
19 in a certified business, or with a certified fund manager, for no less than 3 years.

20 **SECTION 3578h.** 560.207 of the statutes is created to read:

21 **560.207 Dairy manufacturing facility investment credit.** (1) The
22 department of commerce shall implement a program to certify taxpayers as eligible
23 for the dairy manufacturing facility investment credit under ss. 71.07 (3p), 71.28
24 (3p), and 71.47 (3p).

1 (2) If the department of commerce certifies a taxpayer under sub. (1), the
2 department of commerce shall determine the amount of credits to allocate to that
3 taxpayer. The total amount of dairy manufacturing facility investment credits
4 allocated to taxpayers in fiscal year 2007-08 may not exceed \$600,000 and the total
5 amount of dairy manufacturing facility investment credits allocated to taxpayers in
6 fiscal year 2008-09, and in each fiscal year thereafter, may not exceed \$700,000.

7 (3) The department of commerce shall inform the department of revenue of
8 every taxpayer certified under sub. (1) and the amount of credits allocated to the
9 taxpayer.

10 (4) The department of commerce, in consultation with the department of
11 revenue, shall promulgate rules to administer this section.

12 **SECTION 3580.** 560.26 of the statutes is repealed.

13 **SECTION 3581.** 560.275 (4) (e) of the statutes is amended to read:

14 560.275 (4) (e) *Entrepreneurial and technology transfer grants.* The total
15 amount of grants under sub. (2) (e) may not exceed ~~\$500,000~~ \$600,000 in any fiscal
16 year.

17 **SECTION 3581a.** Subchapter II (title) of chapter 560 [precedes 560.30] of the
18 statutes is renumbered 560.29 (title).

19 **SECTION 3581b.** 560.30 (intro.) of the statutes is renumbered 560.29 (1) (intro.)
20 and amended to read:

21 **560.29 Certified capital companies. (1) DEFINITIONS.** (intro.) In this
22 subchapter section:

23 **SECTION 3581c.** 560.30 (1) of the statutes is repealed.

24 **SECTION 3581d.** 560.30 (2) of the statutes is renumbered 560.29 (1) (a) and
25 amended to read:

1 560.29 (1) (a) "Certified capital company" means a person that has been
2 certified by the department under s. 560.31, 2005 stats., and that has not been
3 decertified under s. 560.37 (3) or (3m), 2005 stats.

4 **SECTION 3581e.** 560.30 (3) of the statutes is repealed.

5 **SECTION 3581f.** 560.30 (4) of the statutes is renumbered 560.29 (1) (b) and
6 amended to read:

7 560.29 (1) (b) "Certified capital investment" means an investment in a certified
8 capital company that is certified under s. 560.32 (2), 2005 stats., and that fully funds
9 either the investor's equity interest in a certified capital company, a qualified debt
10 instrument that a certified capital company issues, or both.

11 **SECTION 3581g.** 560.30 (5) of the statutes is renumbered 560.29 (1) (c).

12 **SECTION 3581h.** 560.30 (6) of the statutes is renumbered 560.29 (1) (d).

13 **SECTION 3581i.** 560.30 (7) of the statutes is renumbered 560.29 (1) (e).

14 **SECTION 3581j.** 560.30 (8) of the statutes is renumbered 560.29 (1) (f) and
15 amended to read:

16 560.29 (1) (f) "Qualified business" means a business which is a qualified
17 business under s. 560.33, 2005 stats.

18 **SECTION 3581k.** 560.30 (9) of the statutes is repealed.

19 **SECTION 3581L.** 560.30 (10) of the statutes is repealed.

20 **SECTION 3581m.** 560.30 (11) of the statutes is renumbered 560.29 (1) (g) and
21 amended to read:

22 560.29 (1) (g) "Qualified investment" means an investment in a qualified
23 business by a certified capital company that meets the requirements under s. 560.34
24 (1), 2005 stats.

25 **SECTION 3581n.** 560.31 of the statutes is repealed.